

**THE PARK LAW GROUP, LLC**

Attorneys for Plaintiff Easytex Corporation Limited  
Chull S. Park, Esq. (CP2061)  
Hyun Suk Choi, Esq. (HC4208)  
23 S. Warren Street  
2<sup>nd</sup> Floor  
Trenton, New Jersey 08608

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

EASYTEX CORPORATION LIMITED,

Plaintiff,

v.

PETER & FRANK OF NY, CORP., CHUL KYU  
KIM a/k/a KIM CHUL KYU a/k/a CHUK CHUL  
KIM a/k/a ROBERT CHUL KIM a/k/a CHUL  
KYOO KIM a/k/a CHULKYOO KIM a/k/a KIM  
K. CHUL, BARO SHIPPING CO., LTD., TOP  
TEN TRANS, INC., GFA, INC., 3 WIN INC.,  
MERCURY, AMERICAN INTERNATIONAL  
LINE, INC., SOON CHAN HONG a/k/a SOON  
C. HONG a/k/a SOONCHAN C. HONG a/k/a  
SOON CHAN HONG a/k/a CHAN S. HONG  
a/k/a HONG S. CHAN a/k/a HONG SOON  
CHANG d/b/a SOONCHAN HONG CUSTOM  
HOUSE BROKER, STOP & STOR, jointly and  
severally,

Defendants.

Civil Action No. 07-CV-03907-BSJ

**ANSWER AND AFFIRMATIVE  
DEFENSES OF PLAINTIFF AND  
COUNTER DEFENDANT, EASYTEX  
CORPORATION LIMITED, TO  
COUNTERCLAIMS OF DEFENDANT  
AMERICAN INTERNATIONAL LINE,  
INC. (d/b/a Mercury)**

**ECF CASE**

Plaintiff and Counter Defendant, Easytex Corporation Limited ("Easytex"), by way of  
Answer to Counterclaims of Defendant American International Line, Inc. (d/b/a Mercury) ("AIL"),  
states:

**FIRST COUNT OF COUNTERCLAIM AGAINST PLAINTIFF**

167. Easytex denies AIL's allegations in this paragraph that AIL is entitled to an apportionment of damages from Easytex.

**SECOND COUNT OF COUNTERCLAIM**

168. Easytex denies AIL's allegations in this paragraph that AIL is entitled to indemnification from Easytex.

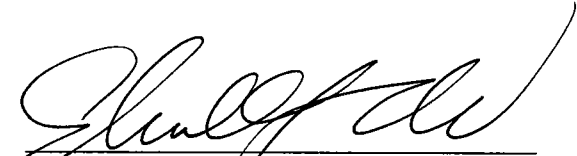
WHEREFORE, Easytex demands dismissal of the Counterclaims of AIL and for an award of counsel fees and costs and for such other and further relief as the Court may deem just and proper. Easytex reserves a right to file an appropriate motion to dismiss the Counterclaims of AIL.

**AFFIRMATIVE DEFENSES**

1. With respect to the Counterclaims, AIL fails to state a claim upon which relief can be granted.
2. AIL did not incur any damages as a result of Easytex's alleged conduct, which conduct is denied.
3. The Counterclaims are barred by the doctrine of unclean hands.
4. The Counterclaims are barred by the doctrine of estoppel.
5. AIL is barred from relief due to its failure to mitigate any alleged damages suffered by AIL.

WHEREFORE, Easytex demands dismissal of the Counterclaims of AIL and for an award of counsel fees and costs and for such other and further relief as the Court may deem just and proper. Easytex reserves a right to file an appropriate motion to dismiss the Counterclaims of AIL.

Dated: July 23, 2008



Chull S. Park, Esq. (CP2061)  
THE PARK LAW GROUP, LLC  
Attorneys for Plaintiff  
**Easytex Corporation Limited**  
23 S. Warren Street, 2<sup>nd</sup> Floor  
Trenton, New Jersey 08608  
Tel.: 609.396.2800  
Fax: 609.396.2801

**CERTIFICATION OF SERVICE**

I hereby certify that:

1. Answer of Plaintiff and Counter Defendant, Easytex Corporation Limited, to Counterclaims of Defendant American International Line, Inc. (d/b/a Mercury) ("AIL") is being filed through the ECF system within the time set forth in the court rules with the:

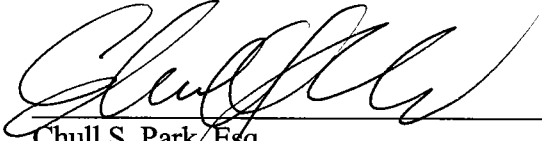
Clerk of Court  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
1<sup>st</sup> Floor  
New York, New York 10007-1312; and

2. Pursuant to Section 1.E of the Individual Practices of Judge Barbara S. Jones, Answer of Plaintiff and Counter Defendant, Easytex Corporation Limited, to Counterclaims of AIL, is being forwarded to the Judge's Chamber by regular mail that is located as follows:

Honorable Barbara S. Jones  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

3. Answer of Plaintiff and Counter Defendant, Easytex Corporation Limited, to Counterclaims of AIL, is being served upon the attorneys on the attached service list through the Electronic Court Filing system within the time set forth in the court rules.

By:

  
Chull S. Park, Esq.

Dated: July 23, 2008

**Easytex Corporation Limited v. Peter & Frank of NY, Corp., et al.,**  
**ECF Case No. 07-cv-03907 (BSJ) (JCF)**  
**1043.001**

**SERVICE LIST**

**Counsel for Defendants:**

1. Carl E. Person, Esq. (CP7637)  
**Attorneys for Defendants**  
**American International Line, Inc.**  
**and Mercury**  
325 W. 45<sup>th</sup> Street – Suite 201  
New York, New York 10036  
Tel.: 212.307.4444  
Fax.: 212.307.0247  
Email: [carlpers@ix.netcom.com](mailto:carlpers@ix.netcom.com)
2. Hendrick Vandamme, Esq. (HV7702)  
Law Offices of Diffenderfer &  
Solomon  
**Attorneys for Defendant**  
**Stop & Stor**  
90 Broad Street, Suite 2202  
New York, New York 10004  
Tel.: 646.428.2654  
Fax.: 800.730.5705  
Email: [henvan@safeco.com](mailto:henvan@safeco.com)
3. Henry P. Gonzalez, LL.M. (HG9238)  
Rodriguez O'Donnell Gonzalez &  
Williams, P.C.  
**Attorneys for Defendants**  
**GFA, Inc. and Top Ten Trans, Inc.**  
1211 Connecticut Avenue, N.W.  
Suite 800  
Washington, D.C. 20036  
Tel.: 202.973.2992  
Fax: 202.293.3307  
Email: [gonzalez@rorlaw.com](mailto:gonzalez@rorlaw.com)
4. David Y. Loh, Esq. (DL0460)  
Cozen O'Conner  
**Attorneys for Defendant**  
**Soon Chan Hong**  
45 Broadway Atrium  
Suite 1600  
New York, New York 10006-3792  
Tel.: 212.908.1202  
Fax: 866.790.1914  
Email: [dloh@cozen.com](mailto:dloh@cozen.com)
5. Jeffrey S. Stephens, Esq.  
**Attorneys for Defendant**  
**Westy Storage Centers**  
14 Duncan Drive  
Greenwich, Connecticut 06831  
Tel.: 203.531.5800  
Fax: 203.531.1417  
Email: [jeff@jsspc.com](mailto:jeff@jsspc.com)